

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOSE LORA,

Petitioner,

v.

CASE NO. 2:10-CV-00677
CRIM. NO. 2:97-CR-101(5)

UNITED STATES OF AMERICA,

JUDGE SMITH

Respondent.

OPINION AND ORDER

On August 3, 2010, the Magistrate Judge recommended that this action be transferred to the United States Court of Appeals for the Sixth Circuit as a successive petition. Although the parties were advised of the right to object to the *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is **TRANSFERRED** to the United States Court of Appeals for the Sixth Circuit as a successive petition.

/s/ George C. Smith
George C. Smith
United States District Judge